

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

THE UNITED STATES for the use of)
GMW Fire Protection, Inc., an Alaska)
Corporation,)
Plaintiff,)
vs.)
KANAG'IQ CONSTRUCTION CO.,)
INC., an Alaska Corporation, and)
WESTERN SURETY COMPANY, a)
South Dakota Corporation,)
Defendants.) Case No. A05-170 CI (TMB)

RESPONSE TO REQUEST FOR ISSUANCE OF WRIT OF EXECUTION

Defendants KANAG'IQ CONSTRUCTION CO., INC. and WESTERN SURETY COMPANY, through their attorneys, Eide & Gingras, P.C., respond to Plaintiff's Request for Writ of Execution as follows.

On August 7, 2008, Defendants filed a Motion and Memorandum for Stay of Execution of Judgment [Stay With Bond on Appeal] pursuant to Federal Rule of Civil Procedure 62(d) [Docket No. 193] and a Motion for Shortened Time [Docket No. 194]. GMW filed its Request for Issuance of Writ of Execution later the same day [Docket No. 197]. On August 7, 2008, the Court denied, without prejudice, Defendants' Motion for Stay With Bond on Appeal [Docket No. 198]. The Court stated that no bond was filed as an exhibit for the Court to review, but Defendants filed a copy of the bond with their

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1 Notice of Attachment at Docket No. 196 [actual bond is Exhibit A at Docket No. 196-2]
2 for the Court to review. In the event the Court did not receive a copy of the bond to
3 review, attached is another copy of the bond for the Court's ease of reference.

4 Defendants will file additional pleadings to insure that the bond is such that it will
5 protect the Plaintiff.

6 DATED at Anchorage, Alaska this 8th day of August, 2008.

7
8 EIDE & GINGRAS, P.C.
9 Attorneys for Defendants
10 Kanag'Iq Construction Co., Inc. and
Western Surety Company

11 By: s/Thomas S. Gingras
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Alaska Bar No. 7811098

17 **CERTIFICATE OF SERVICE**

18 I am a legal secretary employed by the law
firm of Eide & Gingras, P.C. That on this
8th day of August, 2008, I served

19 [x] Electronically

20 a true and accurate copy of the foregoing
document upon the following counsel of record:

21 Sarah J. Tugman, Esq.
2509 Eide Street, Suite 4
Anchorage, AK 99503

22 EIDE & GINGRAS, P.C.

23 By: /s/Donna Charter

24 F:\431\05\Post-Trial Documents\Response to Writ of Execution.DOC